

12. 1814

A
VINDICATION
OF
MR. HIGGINS,
FROM
THE CHARGES OF CORRECTOR;
INCLUDING
A Sketch of recent Transactions
AT THE
YORK LUNATIC ASYLUM.

ADDRESSED TO EARL FITZWILLIAM,
BY A NEW GOVERNOR.

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A LETTER

TO THE

Right Hon. Earl FITZWILLIAM,
&c. &c.



MY LORD,

AS it was to your Lordship Mr. Higgins dedicated his Pamphlet, on the recent events in the York Lunatic Asylum—as you are one of the oldest Governors of that institution—and as you have, at a late meeting, evinced a most warm regard for its interests, I do not scruple, on the present occasion to address you.

A person signing himself Corrector, has attempted to answer Mr. Higgins, and in so doing has vilified both that gentleman and the cause in which he is engaged—this virulent attack has not drawn a reply—and in omitting to notice a work, at once weak and intemperate, Mr. Higgins has consulted his own dignity. Yet, that the errors of Corrector should not be detected—the futility of his arguments exposed, is a question of a different nature. Where, in

pretended transcripts, the material words are changed *—where the sense of a passage is wantonly or wilfully perverted—where a fact is distorted to give colour to a charge—the casual reader who proceeds straight forwards, troubling himself with no reference or collation, must inevitably be misled—as the majority of readers are both casual and careless, even Corrector may have made an impression unfavourable to the character of Mr. Higgins—and that vindication

* For examples see p. 6.—the censure in Martha Kidd's case is professed to be given in the words of the Committee, but the language of the Committee is altered, the force of the censure gone. Mr. Higgins complains that no servant was discharged, or called before the Governors, and individually reprov'd—p. 6: this is quite misrepresented. Mr. Higgins states, that in the Patients' entry-book there is a systematic falsification—that the man who has been destroyed by violence, is said simply to have "died"—and that he who has escaped, is said to be "removed." That the entries were thus, is confessed—and notwithstanding the many escapes and at least *several* violent deaths, there is no instance of an entry corresponding with the fact. How does Corrector meet this *general* charge? by producing a solitary entrance in a distinct book respecting the violent death of a person, in the ordinary entrance-book said to have "died." Mr. Higgins has never denied that when the servants could vindicate themselves from suspicion in a case made notorious by a Coroner's inquest, that they would so do—he said the entry respecting Thirkill was like all the entries on similar occasions, deceptive—and it was so.

which he himself justly disdains, may be allowable or necessary in another.

It is proper to state, my Lord, that this address is equally without the assent and knowledge of the gentleman principally concerned.

That the old Governors of the Asylum have not been the invariable objects of my praise, is a fact that will neither disconcert nor offend your Lordship. Public institutions, like that now in discussion, must necessarily be conducted in their common course, by neighbouring Governors—occasional superintendence is all the more distant Governor can bestow—and in that your Lordship has never been deficient. The extent of the superintendence will vary with the apparent necessity of the case—however the necessity may here have existed of more than a formal routine of attention, that necessity was unseen and unknown—the true state of the case once laid open, a great portion of the Governors became the steady friends of reform and of the institution.

I confess, my Lord, trivial as this address must appear, it has a view beyond its obvious and immediate object. I trust it may tend to show how institutions of high name and established character, institutions connected with persons every way eminent and excellent, may yet be deplorably misgoverned—presenting the exterior of order and decorum—all within may be worthless and hollow—I am not, my Lord, making poli-

tical allusions—in matters of state, acquiescing confidence on the one part is well balanced by vigilant opposition on the other—I advert to those numerous establishments, and endowments—half public and half private in their nature—hospitals, schools, infirmaries and asylums, at once the honor and the disgrace of the nation.

I will now, my Lord, proceed to the charges of Corrector, the first of which relates to transactions anterior to and on the 2d of December, 1813.

In the month of October, 1813, Mr. Higgins was applied to, as a magistrate, by Sarah Vicars, for an order of relief. Her husband, a pauper, of Fishlake, near Doncaster, had recently returned home from the York Lunatic Asylum; Mr. Higgins examined the Overseer of Fishlake, and Sarah Vicars on oath, and received from Mr. C. Maples, surgeon, a certificate of the state in which Vicars appeared, the day after he reached his own house. Mr. Higgins deemed it proper to lay this evidence, with an introductory statement, before the public, and this was done very shortly prior to the December Quarterly Meeting of the Asylum Governors. To that meeting Mr. Higgins transmitted various documents respecting Vicars' case, and he personally attended at it. This conduct, on the part of Mr. Higgins, constitutes the first charge—it is said to be extraordinary and contradictory—extraordinary, as referring to the public, a case proper for the sole

and exclusive attention of the Governors—contradictory, as involving an application to those very Governors whose authority was thus contemned.

At an early period of the Asylum, dissensions arose—on the one part, Mr. Mason, Dr. Burgh, and others, complained of abuse, and demanded investigation—on the other, Dr. Hunter, supported by the great body of Governors, declared all was well, and refused all inquiry—the contest continued many years, I grieve to say, with mutual complaints and mutual acrimony—it terminated we are informed, in 1795.* On which ever side the merits lay, one thing is clear—with an irritated and vigilant minority close at hand—in the interior of the house much disorder could scarce be expected to prevail. The contest closed—all consideration for the state of the unhappy lunatics, all superintendent care of the institution, appears to have been at an end—since 1794, no visitors had been appointed—at the quarterly meetings, four or five Governors, with difficulty collected, summed up the items of a tradesman's bill, contracted with the butcher for the ensuing three months, ordered a wall to be pulled down, or a door to be blocked up—wished each other a good morning—and retired. At the annual meetings little more occurred—whether the institution was in debt or in credit—

* Corrector, p. 4.

how many patients had been admitted, and how many discharged, were the usual limits of inquiry.

I do not charge this conduct to hardness or apathy on the part of the Governors—they did nothing, because they believed there was nothing to be done—the institution had attained the last of those stages through which human institutions are commonly found to pass—in the commencement there is energy—to energy confidence succeeds—to confidence abuse—the opinions and feelings of the Governors were in the second stage, the institution itself on the very close of the last—for sooner or later, from abuse reform will spring. A more compact or extended concatenation of confidence has rarely been known—the Governors had confidence in the Physician—the Physician had confidence in the inferior officers—the officers in the keepers—the keepers in the patients themselves; who were hence rarely troubled with either attention or restraint.*

What Mason, Burgh, and Withers, themselves Governors, had attempted in vain, Mr. Higgins, a stranger, had no hope to effect—and he appealed, as well to the public as to the Asylum court—all past experience showed the necessity of this double reference—and two pretty strong

* I by no means charge Dr. Best with medical neglect—he has stated his attendance at the Asylum, and such statement appears satisfactory.

principles of human nature—Habit and Pride—decisively pointed out the same course—it was the *habit* of the Governors to think all was right—and in fact they had seen nothing which was wrong—the passage to the Committee-room was well swept—a cheerful fire blazed in the chimney—the table was covered with a decent green cloth—the apothecary bowed—the matron courtesied—the head keeper obsequiously held the door in his hand—and an under keeper attended with humble reverence, as often as the bell called him into the Governors’ presence—“What can we reason but from what we know.” Whatever was seen was excellent, whatever was unseen must be correct.

The opinion which habit had fixed, pride could naturally retain firm in its position. Every man can observe the disorder in his neighbour’s house—but who will, even to himself allow, that there is disorder *in his own*? We all comment on the discharge of public duty by others—which of us will bear that comment in return?

It was no turbulence of disposition which prompted Mr. Higgins’ Appeal to the public—it was not the suspiciousness of a distrustful temper—it was the sagacity of an acute and intelligent mind. The Governors met, took the “statement” into consideration, examined the servants on oath, and—*calling for no other evidence—making no personal inquiry into the actual*

situation of the house or of the patients—eulogised them, and censured the accuser!

Is not this decisive? what short of an appeal to the public, an appeal which the public has answered, by delegating 50 new Governors to represent it, could have reformed, or preserved from ruin, an institution thus governed?

It has been said in apology, that Mr. Higgins' evidence was on paper—as the phrase is—cut and dried—the servants were examined on oath, *vivâ voce*—the distinction is important—the best evidence was *not* produced by Mr. Higgins—but ought it not to have been called for by the Governors? they could not convict on Mr. Higgins' papers—but they could have called before them those persons whose testimony the papers comprised—where suspicion of disorder was once raised, the investigation ought to have been complete—can it be said, that what to all others was *proof*, to the body of Governors was not even ground of *suspicion*? A few days after this—*when the institution had got into other hands—witnesses were** sent for, *guilt was proved—the*

* But not by the Governors *as such*. One gentleman exultingly proclaimed the want of a fund to defray contingent expenses, a clear bar to inquiry—this sentiment seemed to prevail, and the new Governors then, for the first time appearing, did not think it advisable to make any motion on the subject—funds however were soon forthcoming. When pretexts like this, for avoiding inquiry, are eagerly seized on—can there exist a real “in-

eulogised servants were discharged—and the existing system was overthrown. *Did then the Governors, on the 2d of December, examine on oath “such witnesses as were competent to give testimony”—and which of the two is entitled to the approbation of the public—the body of 26 Governors, or Mr. Higgins, “the disappointed accuser?”*—the conduct of Mr. Higgins has already been publicly thanked, and I am very sorry, that to vindicate him from the charges of Corrector I am thus compelled to censure his opponents.

Whilst I cannot but say that I think the conduct of the Governors on the 2d of December eminently wrong, let me not be understood too far to extend my censure—the eyes of many were very speedily opened, and several have most cordially and efficiently united in the great purpose of reformation—on one high character, whose name has so often and so honourably appeared in the Asylum records, too great encomiums cannot be passed—his unbroken and unwearied attention to business, which seemed to know no end—the calmness and urbanity with which he moved, amid contending turbulence—the gentleness yet decision of his rule—the intuitive promptness with

B 2

tention” of reform? On the contrary, does not this pretext alone evince the necessity of making the public a party, of enforcing a new spirit through the medium of new Governors?

which he saw, and the perspicuity with which he declared from the chair, what was wisest and best to be done—want not my praise, for they have already received the praises of all. I cannot omit referring to another of the *old Governors*, whose conduct as a member of the Committee merits great approbation—I allude to Mr. Alderman Wilson—once satisfied that abuses did exist, he most cordially and ably assisted in their rectification.

That prejudice *might* in possibility be created by an *ex-parte* statement, no one will object, who considers the urgency of the call for such statement—but on whose minds was it that prejudice could prove injurious? On the minds of the Governors certainly—for they alone were to decide—had a hundred “*stat ments*” been published—on which side might *their* prejudices be expected to predominate—on which *did* they predominate? the *unanimous vote* will answer this query. However he appealed to the public, it was before the Governors only that Mr. Higgins could accuse, or the question tried—and Mr. Higgins wisely thought that the Governors of the Asylum, like all other Governors, might then best be trusted, when their conduct was most narrowly watched.

The public will now decide, how far the proceedings of Mr. Higgins have on this point been—to use the flowing harmony of Corrector—*extraordinary and contradictory*.

The cases, my Lord, referred to a Committee

of inquiry, next call my attention. I shall briefly state their character, and concentrate to one point, the observations they may suggest. The first cases considered, were those of Kidd and Arundel—these persons were both parish paupers, removed from the Asylum to the Workhouse at Pontefract—they both remained in a state of derangement, but neither exhibited symptoms of violence. The facts respecting Arundel were not very decisive—some faint smell, possibly attributable to personal neglect was discovered on his arrival at Pontefract—and he exhibited a dread of being returned to the Asylum—there were perfectly sufficient grounds for inquiry, but not for censure. Mr. Higgins therefore exhibited inquiry, without much expecting conviction*—further evidence, accounting for this man's terror of the Asylum, might have appeared—but in fact it did not. The case of Martha Kidd was widely different—a more horrid picture of filth and misery could not be represented—a picture calling up the strongest emotions of pity and of disgust—but the emphatic words of Margaret Beckwith, who described with the same energy she had felt the state of this wretched object, can alone do justice to the case—and feelings more honourable, more truly excellent,

* It can scarce be said Mr. Higgins did institute inquiry respecting Arundel—his name was sent to Mr. Higgins conjoined in several documents with that of Martha Kidd, and hence both came before the public.

than those of Margaret Beckwith, the humble mistress of a parish workhouse, it is the lot of few to witness.—“She” (Martha Kidd) “was poorly in herself—very dirty—with vermin in her hair and on her carcase”—on being asked, if she appeared to have been washed that day, her answer was “liker say not washed for weeks—her legs may-be had not been washed for years—and when I came to pull off her stockings they were scaly with dirt—her toe nails hung over one another, and when I took a knife she screamed sore—she were not like a christian—I shed tears over her to see such a ragged creature—she had not been dealt with as a christian—it was an abomination for a poor creature to be used as she was here.”—This case, one gentleman has sneered at, as merely that of “a lousy pauper,” and this case is considered by Corrector as proving the good usage of a whole class of patients.

Mr. Scorey was a clergyman educated at Queen’s College, Oxford; he died in the Asylum in 1812, aged 41 years—he was three several times in the Asylum, to which place Mrs. Scorey, his wife, found herself compelled to return him from the violence of his disease.—Mrs. Scorey stated it was her habit to visit her husband frequently—the treatment he received from the keepers was most offensive—they pushed him into the room where she was waiting—and fre-

quently kicked him—on her once representing to a keeper that this was most indecent treatment of a clergyman—she was answered, the keeper “thought no more of him than of a dog.” Mr. Scorey was at this time fully sensible of the insults he received—he even called to his wife for protection—during the period of his second confinement, he was always in a dirty state—Mrs. Scorey brought towels and washed and cleaned him—this conduct was apparently deemed officious—and was probably the origin of the brutal violence here detailed—on one occasion, Mr. Scorey was kicked down stairs, and fell headlong—on another he was seized by the collar, and his neck squeezed till his eyes became bloodshot. A demeanour thus brutal, has not actually received the applause of Corrector—but it has wholly escaped his censure*.

* The cases both of Kidd and Scorey involved a charge of personal violence—the evidence as to Kidd arose from her own expressions to her husband and daughter, the marks of bruises on her body, and the fact of a dislocated hip. Whether the marks exhibited on her person were to be attributed either to ill usage or neglect might have been doubted, had she in other points been duly attended to. There seems but one alternative in the care of maniacs—occasional accidents, or perpetual restraint—no vigilance of superintendence can entirely suffice—as the Asylum is constructed, the keeper cannot be close at hand to all, and sudden bursts of fury will arise in those whose

On the close of Mr. Scorey's case, it was moved by a member of the Committee, [Mr. Nicoll, that the inquiry should there stop—enough, and more than enough, had been done

general state is placid. The system of perpetual restraint is in itself horrid—it is inconsistent with bodily health, with comfort, and with recovery—occasional accidents are comparatively insignificant. I will subjoin from the Report of the London Sub-Committee, instances of coercion in a celebrated receptacle for lunatics, Bethlem hospital.—The efforts were strenuous to withdraw this house from the operation of the bill last sessions brought into Parliament—honourable members, themselves governors, got up in their places—talked of the excellent regime of the place—its physicians, its surgeons, its officers—the great names connected with it as visitors and patrons—like other Governors, they believed all was wisest and best—to be sure, like other Governors, they only believed—they did not pretend to *know*. In the York Asylum, there is the strongest evidence of whatever evil gross neglect could produce—but Bethlem exhibits a cold premeditated system, in which coercion is to supersede the necessity of habitual care. Amid such offences of omission and commission in places of the highest name—can Parliament for a moment hesitate to interfere? The Report from which I make the following extracts, has not I believe been generally circulated—its date is June 18, 1814, and it is signed Edward Wakefield, Chairman.

“ One of the side rooms contained about ten patients, each chained by one arm to the wall; the chain allowing them merely to stand up by the bench or form fixed to the wall, or to sit down on it. The nakedness of each patient

to justify an entire revision of the affairs of the Asylum. The cases before the Committee could not be accounted for as accidental—they were not exceptions—they shewed the general tenor

was covered by a blanket gown only. The blanket gown is a blanket formed something like a dressing gown, with nothing to fasten it with in front; this constitutes the whole covering; the feet even were naked. One female in this side room, thus chained, was an object remarkably striking; she mentioned her maiden and married names, and stated that she had been a teacher of languages. The keepers described her as a very accomplished lady, mistress of many languages, and corroborated her account of herself. The Committee can hardly imagine a human being in a more degraded and brutalizing situation, than that in which they found this female, who held a coherent conversation with them, and was, of course, fully sensible of the mental and bodily condition of those wretched beings who, equally without clothing, were closely chained to the same wall with herself.

“The few minutes which the Committee passed with this lady, did not permit them to form a judgment of the degree of restraint to which she ought to be subject; but they unhesitatingly affirm, that her confinement with patients, in whom she was compelled to witness the most disgusting idiocy, and the most terrifying distraction of the human intellect, is injudicious and improper. She entreated to be allowed pencil and paper, for the purpose of amusing herself with drawing, which were given to her by one of the Committee.

“Many of these unfortunate women were locked up in their cells, naked, and chained on straw, with only one blanket for a covering.

and character of the house—it was not that personal attention had been on some one occasion omitted—that some one keeper had in a moment of anger forgot himself—what appeared, was the general conduct of the general body of the servants. In these observations the Committee unanimously acquiesced—but the Archbishop of York, decidedly agreeing with Mr. Nicoll in principle, suggested the propriety of proceeding with the cases on another ground—the Committee

“In the men’s wing, in the side room, six patients were chained close to the wall—five handcuffed, and one locked to the wall by the right arm, as well as by the right leg. He was very noisy: all were naked, except as to the blanket gown, or a small rug on the shoulders, and without shoes; one complained much of the coldness of his feet—one of the Committee felt them—they were very cold.

“The patients were in no way distinguished from each other as to disease, than as those who were not walking about, or chained in the side rooms, were lying stark naked upon straw, on their bedsteads, each in a separate cell, with a single blanket or rug, in which the patient usually lay huddled up, as if impatient of cold, and generally chained to the bed-place, in the shape of a trough. About one-fifth were in this state, or chained in the side rooms.

“It appeared, that the wet patients, and all who were inclined to lie a-bed, were allowed to do so, from being less troublesome in that state, than when up and dressed.

“In one of the cells, on the lower gallery, the Committee saw William Norris. He stated himself to be 55 years of age, and that he had been confined about 14 years;

stopping there, might be charged with partiality—it might be surmised the cases not gone into might tend to a vindication of the house—in this very satisfactory view, Mr. Nicoll and the rest of the Committee acquiesced; and the remaining cases were brought on. One of the Thirkills, when on the point of being dismissed cured, suddenly disappeared—he did not return to his friends at Sherburn, to whom it is known he was much attached—and he has never since been

that in consequence of attempting to defend himself from what he conceived the improper treatment of his keeper, he was fastened by a long chain, which passing through a partition, enabled the keeper, by going into the next cell, to draw him close to the wall at pleasure; that, to prevent this, Norris muffled the chain with straw, so as to hinder its passing through the wall; that he afterwards was confined in the manner the Committee *saw him*; namely, A stout iron ring was rivetted round his neck, from which a short chain passed to a ring, made to slide upwards or downwards on an upright massive iron bar, more than six feet high, inserted into the wall; round his body, a strong iron bar, about two inches wide, was rivetted; on each side the bar was a circular projection, which being fashioned to, and enclosing each of his arms, pinioned them close to his sides; this waist-bar was secured by two similar bars, which passing over his shoulders, were rivetted to the waist-bar, both before and behind; the iron ring round his neck was connected to the bars on his shoulders by a double link; from each of these bars another short chain passed to the ring on the upright iron bar. We

heard of—this event occurred about 11 years ago. The other Thirkill died by violence—the violence appears to have been accidental, and the Coroner's Jury have recorded an acquittal of the persons concerned in the superintendence of the house. What Mr. Higgins has observed on this case is most accurately correct—he complains of falsification of entries, of deceptive statements, intended to mislead the public respecting the deaths of patients, and their mode of leaving the

were informed he was enabled to raise himself, so as to stand against the wall, on the pillow of his bed, in the trough-bed in which he lay; but it is impossible for him to advance from the wall in which the iron bar is sodered, on account of the shortness of his chains, which were only twelve inches long. It is conceived equally out of his power to repose in any other position than on his back; the projections, which, on each side of the waist-bar, enclosed his arms, rendering it impossible for him to lay on his side, even if the length of the chains from his neck and shoulders would permit it. His right leg was chained to the trough, in which he had remained thus encaged and chained more than twelve years. To prove the unnecessary restraint inflicted on this unfortunate man, he informed the Committee, that he had for some years been able to withdraw his arms from the manacles which encompassed them. He then withdrew one of them: and observing an expression of surprise, he said, that when his arms were withdrawn, he was compelled to rest them on the edges of the circular projections, which was more painful than keeping them within. His position, we were in-

Asylum—Mr. Higgins' charge is that when a patient has been destroyed by violence, he is simply said to have "died"—that when he has disappeared, he is merely said to be "removed"—and thus the entries are—the aim at deception is abitudinal—the attempt to delude the public by representations of security that had no existence, flagrant. These cases did not call on the Committee for censure, but they abundantly autho-

formed, was mostly laying down, and that, as it was inconvenient to raise himself and stand upright, he very seldom did so; that he read a great deal; books of all kinds; history, lives, or any thing that the keepers could get him; the newspaper every day; and conversed perfectly coherent on the passing topics and the events of the war, in which he felt particular interest. On each day that the Committee saw him, he discoursed coolly, and gave rational and deliberate answers to the different questions put to him. The whole of this statement relative to William Norris was confirmed by the keepers.

"In the public hospitals, it is customary to lock up the patients in their cells at dusk; this, in winter, is soon after four o'clock; and the cells are not opened until seven o'clock the next morning. The coldness of the season sends the patient into his bed, however he may incline to remain awake. To him, who is darkness and utter confusion within, this is no privation of comfort—no infliction of sorrow;—but surely fifteen hours dreary, solitary confinement, in a dark cell, must tend to retard the progress of the convalescent, and to deepen the gloom of the mind shattered by sorrow."

rized the observations Mr. Higgins has brought forwards.

The case of Mr. Wilson deserves the peculiar attention of your Lordship—here, if any where, the Committee erred—and that they erred, several members of it have since ingenuously confessed. Mr. Wilson was a respectable middle-aged man, placed in the Asylum by his wife. Mrs. Wilson, most affectionately attached to her husband, and of a timid and susceptible character, had considered several circumstances attending his situation with feelings of fixed horror—the condition of his linen, often bloody—appearance of personal violence exhibited on his body—occasional refusal of admittance—had worked up her mind to a state of high agitation—and her apprehensions indirectly reaching the Committee, had prepared it for a scene of deep barbarity—on the other hand, when the case came to be examined, little appeared beyond what seemed, under the circumstances, inevitable. Mr. Wilson had an unfortunate habit of offending his fellow patients—he trod on them—spit at any one near him, and hence was inevitably subject to occasional violence in return—the facts proved fell so far short of the opinions preconceived, that a perhaps too hasty decision of acquittal was the result—for Mr. Wilson's case did involve one point of most serious moment—for some time prior to his removal from the Asylum, his general

health had alarmingly failed. He became emaciated and feeble, and was apparently sinking into the grave—on his return home, his restoration to bodily health was obvious and rapid—the fact was, his habits called for night attendance—this had been promised, but the promise was not performed—it was observed in the Committee, that this was an omission scarcely to be reprehended in a public institution—with four keepers, was night attendance possible to 140 male patients?

It was not till the point of physicians' fees came to be discussed, that this case appeared in its true light—it was then seen, that of two guineas per week, paid by Mrs. Wilson, the physician received £1 8s.—the house 14s. That 14s. per week was inadequate to procure the addition of night attendance, was an admissible excuse—but was it a moment to be endured that such a distribution of payments should take place—that the physician should receive into his own pocket, what ought to have procured that attendance, which the very existence of a patient called for. Mr. Wilson's case then, when duly considered, is perhaps as obnoxious to censure, as any one yet alluded to.

On the 7th of January, 1814, the report of the Committee, on the above cases, was taken into consideration—the opinion of the Committee was adopted as that of the Court, *and* a Committee of general inquiry into the rules and management of the Asylum was appointed. With the decision

of this Court Mr. Higgins, on the 10th of January, declared himself perfectly satisfied—he adds “*that in consequence of the recent proceedings,*” he believes the patients are as well treated as circumstances will permit of. Mr. Higgins’ confidence was somewhat hastily adopted, and he had soon reason to withdraw it—that the publicity now connected with the conduct of the Asylum, should prove greatly and even immediately operative, was to be expected—that it should in any short period, and under the management of the old servants, prove a radical corrective, was beyond hope—even at this time, after an entire change of servants, and under the unremitting attention of visitors and of Committees, much remains to be done, and much will long remain.

On the 24th of March, Mr. Higgins discovered four cells, which he, with sufficient reason, denominates “secret”—in the recent visits of Governors, they had been, if not concealed, certainly not exhibited—and their state was such as might well sanction the suspicion of *designed omission*. Mr. Higgins’ description did not, it could not aggravate the state of these cells. In one cell a chain, concealed under the straw, was discovered, and this chain was fixed in a board obviously *new*. These facts gave rise to Mr. Higgins’ letter, and these facts, in the fullest manner, warranted that letter. The state of the cells—the repeated omissions to exhibit them—the reluct-

ance with which they were at last shown—the chain—the newness of the board—all conspired to create the same impressions, and Mr. Higgins felt himself called on, publicly to retract the confidence he had so prematurely bestowed, and so openly declared.

Of Dr. Best's letter of the 2d of April following, I would willingly omit all mention—but Corrector forces it on me—suffice it to say, that in consequence of these two letters of March 24, and April 2, Mr. Higgins was publicly thanked, and Dr. Best publicly censured*—Are these the recollections that a wise defender would recal?

Mr. Higgins is charged with an erroneous reference to further cases, stated by him to have been in the hands of Mr. Nicoll. It is true, my Lord, as stated by Corrector, that Mr. Nicoll did, on one occasion, refer to some cases which he declared he had not evidence to support—either the evidence was that of hear-say, or it proceeded from the insane themselves, or in some other respect it was found insufficient—but it is equally true, that at the close of the examination, Mr. Nicoll had many other cases in his possession, with which he certainly would have come forwards, had not all further inquiry become superfluous.

* This censure was grounded on the indecorous expressions of Dr. Best's letter of April 2.

Mr. Higgins is charged with contradiction in at one time representing himself perfectly satisfied, and then again impugning the conduct of the Committee and the Governors. Mr. Higgins has, on no occasion that I am aware, approved the report of the Committee on the cases examined into—he professes to have been satisfied with the resolutions of the Court which sanctioned that report; but let it be remembered, that the principal resolution of that Court was, that a full inquiry into every species of abuse should be immediately instituted—the acquiescence of the Court, in the opinion of the Committee, was a very secondary concern—in fact little more than a form.

When the general report was presented on the 14th of April, Mr. Higgins did not approve it—and when he saw that months had passed over, and every old servant was still retained, he very naturally professed himself by no means satisfied with what had been done—there has, therefore, been no contradiction, no vacillation in the mind and feelings of Mr. Higgins—that he has been uniform in his decision is one thing, that he has been well warranted in it, is another; and I confess I think he has been somewhat hard both on the Committee and on the body of Governors. He says the Committee were “obliged” to attach blame in the cases of Kidd and Schorey. There was no compulsion—the Committee did it voluntarily, freely, unanimously—and if the terms in

which their censure was conveyed, appear to Mr. Higgins unbecomingly mild, let it be remembered, that a lighter censure agreed to by all, was of far more practical use than the severest reprehension confined to one party in the Committee—the censure, as it stood, was a sure harbinger of general inquiry—had it been the act of a party, to party feelings it had probably been attributed, and its efficiency had not unlikely been destroyed. The general report was like that on the cases—unanimous, and to unanimity surely some sacrifice is due—its professed purpose has been fully answered—a division once made, might have extended from the Committee to the Governors; it would certainly have retarded, and might have defeated the purposes of reform. As little has Mr. Higgins reason to complain of the retention of servants—before the meeting in August, no change in the superior departments of the establishment was possible—the rules forbid it—and it was deemed far the surest way to have one entire remove—the patients, in the mean-time, were little likely to suffer, as there were now Visitors vigilant in their duty, and Committees frequent in attendance. Whether Mr. Higgins' charge against the Governors is ill or well founded, his complaint is obviously misrepresented* ; his expression is “ It does not however appear, that any of the

* Corrector, p. 6.

persons, who have thus abused your confidence or betrayed their trust, have yet been dismissed from their situations, or even censured for their misconduct"—and thus the case stood—a *general vote*, not that "Martha Kidd is found not to have been kept so clean as she should have been," the punctuation professes a correct transcript—but that "in the case of Martha Kidd, a gross neglect of cleanliness and of attention to the person, is in full proof," had passed—but no servant had been called before the Governors and censured—the resolution was against the house, against the management, not against the individuals—and of this Mr. Higgins complains.

Mr. Higgins is accused of scurrilous and unjustifiable representations to the House of Lords*—and of a most atrocious and insulting letter to the Governors, in August last. I would not, my Lord, enter into a conflict of epithets with Corrector. I may yet observe—his own phraseology is tolerably appropriate to his own conduct. Mr. Higgins, understanding a petition was presented to the House of Lords, praying that the York Asylum might be exempt from the visitation of magistrates, appointed at the quarter sessions, transmitted a counter-petition—he was at first correctly informed on the subject of this petition—he now erroneously confesses himself to be in error—such petition *was* presented. What Beth-

* Corrector, p. 6.

lem and St. Luke's had asked in vain—what was refused to the excellently conducted institution at Nottingham—no other Asylum for Lunatics could hope to obtain—that at York could least of all pretend to be exempted. Mr. Higgins gives his petition to the public—it is *not* scurrilous, and it is well justified.

I cannot, my Lord, consider Mr. Higgins' letter of the 14th of August as either atrocious or insulting—its expressions are hasty—this Mr. Higgins allows—but its statements are just. Misapplication of funds is his first charge. Does this rest on "*conjecture**?" Is it not avowed, that from the most opulent patients only 14s. per week were paid to the house, that the physician retained whatever further sum their weekly payments might amount to?† Is it not avowed that this

* Corrector, p. 13.

† It has never been pretended that this distribution of the payments of the superior patients was either generally known or generally sanctioned. The vindication of the measure rests on two points—the long-continued practice—and the refusal of some one meeting of Governors to take the question of the physician's emoluments into consideration. But did even this meeting knew what those emoluments were—or how derived? The refusal to inquire might be founded on various reasons—the smallness of the meeting—pressure of other business—entire ignorance of any deviation from the professed principles of the house—at any rate, the mere refusal to inquire into facts, cannot be

mode of distribution was unknown to the friends of patients, unknown to the Governors of the Asylum, unsanctioned by any existing rule—nay,

construed into a sanction of actual abuse—even if it could, is the tacit sanction of a small meeting, unpromulgated to the body of Governors at large, and grounded on no notice, to be opposed to the known rules and principles of the institution. I say *the known rules and principles*, and I prove it thus :—In 1800, the state of the Asylum was published—it is there said, that a few persons of better circumstances were admitted, in order that “the overflowings of *their* weekly payments should be applied in aid of those persons who were in narrow circumstances”—and the physician is allowed “to take from the friends of such patients the reasonable emoluments of his profession.” In 1813, a similar statement is given—and a similar principle held out—it is here said—“the expenses of the indigent are reduced by the payments of the more affluent patients”—and that the physician is authorized to receive from the friends of the more affluent patients, the reasonable emoluments of his profession. A resolution in the old order book, is evidently applicable to the principle alluded to—it says, the patients shall be classed according to their payments, at 8—10—12—14—16—18—and 20s. and upwards per week—the weekly payments to discharge board, &c. The “reasonable emolument” was obviously a distinct payment. I fear then the question of misapplication is brought to this point—for the late distribution between the physician and the house, a practice of many years may be pleaded—*against* it, the well-known and repeatedly published principle of the institution above stated, and the total absence of sanction from the Governors.

is it not known that the existing rule respecting the superior patients was, that the surplus of their payments should aid the lower patients, and that the physician should receive the reasonable emoluments of his profession? Is it not most obvious that the payment of 14s. per week was not adequate to the cost of the superior patients, and that consequently there was no surplus to the house, but a misapplication into another channel? Respecting the amount of misapplication, Mr. Higgins may be incorrect; but I should be extremely glad to see better proof of that incorrectness, than the surmises of an anonymous pamphlet. If Mr. Higgins is wrong, a decisive means of exposing his error is easily pointed out—*let Dr. Best state what his receipts have been.* Mr. Higgins proceeds on grounds, at least *probable*—they must be considered *true*, if this obvious detection of his error is withheld. Corrector is at any rate mistaken—three guineas per week is allowed by Dr. Best to have been in one case paid—in how many cases this has been the amount, and in how many it may have been exceeded, we have no information.

Mr. Higgins next states, that the lunatic poor have been neglected or abused. His third point is, that the offending servants have neither been censured nor discharged—he then alludes, in terms of warm and generous indignation, to the falsification of entries in the books of the Asylum,

and to the concealment of deaths in the reports of the house—to his phraseology objections may be taken, but his charges are true—entries were falsified—deaths were concealed—and both habitually.

This, my Lord, is not the place for discussing legal rights, yet I cannot suffer the sarcasms of **Corrector**, respecting the visitation of a magistrate, to pass unnoticed. Whether in or out of his own jurisdiction, I consider a magistrate authorized to inquire into the treatment of a lunatic pauper, received into any house, from a place within such magistrate's jurisdiction—if I am asked on what principle, I reply on an implied condition, attaching on the very act of reception. It may as well be asserted, that a parent has not a right to visit the house where his child is received, for education—such a power, equally necessary to the well-being of the pauper as the child, has the tacit assent of the schoolmaster in the one case, of the keeper in the other—the right, I allow, is to be discreetly exercised—but I assert that it exists.

When I met with the charge of “indelicate disclosures,” I must confess an alarm seized me—the expression was referable to but one case—that of some unfortunate female, injured in the Asylum—zeal had prevailed over discretion—her name, her rank, her family, had been promulgated to the world—such was my surmise—but it was in the second page of **Corrector's** pam-

phlet it arose. I did not yet know my author—at the conclusion, the subject is resumed *—"large bodies of men" had been collected together, for the discussion of a topic deeply concerning the public, and at a period of highest interest. The statement of such discussion in print is—*an indelicate disclosure*—passing over the finical coxcombry of the phrase, I deny the principle. The discussion for public purposes of public measures, by public men, are the right and property of the public—a close room or an open one—a select company or a miscellaneous—it is the subject and the persons that create the right. If Governors, incompetent to the task, assume a leading part—a wholesome memento will in future keep them where they ought to be—on their seats. If gentlemen are afraid to speak, because they do not know they are right—or ashamed, because they do know they are wrong—the next day's "libel" is a most wholesome medicament of their disease. Let every one shrinking from the indelicate disclosures of Corrector, lisp his pretty nothings in the security of the tea-table—or more manfully proclaim his thoughts—whilst the bottle circulated. The general Court or the special Committee is not his province—neither the prudent object of his wishes, nor the certain medium of his fame.

* Corrector, p. 12.

Corrector, my Lord, in conclusion, tells us, “that *if* the existing regulations of the institution had been attended to—and he knows there was an intention to bring them into activity,” &c. &c. —all might have been well, without the new code. Two points are comprised in this sentence—a comparison of the two sets of laws—and a reference to intended reform by the old Governors. That the old code comprised a very respectable dead letter system of rules, I am by no means inclined to deny—because I know nothing respecting it, and never met with any one who did—save and except as far as extracts are therefrom made, in the report of the late Committee of Inquiry. The “intention” of renovated activity is new to the world—when and where was it conceived, by whom expressed? and to what did it extend? Was this “intention” evinced on the 2d of December, when the establishment was acquitted and the servants praised? On the 10th of December, when the most vehement—I had nearly said virulent—opposition to all inquiry was exhibited, and when all past possibility of error was as vehemently disclaimed. Unable to conjecture the time and place of such “intention”—I would ask Corrector, who were the persons intending? or on what the “intention” could be grounded—On existing evils acknowledged? none were acknowledged or known—On laws become obsolete from disuse?—as well their existence as their neg-

lect was unthought of.* In the next edition of his *interesting* work, these mysteries may chance to be resolved.

I will here, my Lord, conclude this hasty and perhaps needless sketch—its haste has been great—and its use will be little—if, as I confess I augur—Corrector—self-destroyed, has already yielded to his fate.

I have the honor to be

Your LORDSHIPS most obedient Servant,

A NEW GOVERNOR.

* I am not quite satisfied that the past abuses of the Asylum should be referred to in vague and indefinite terms—*fraus latet in generalibus*—nor is it enough to say, that squalidity, filth, and rags, were in too many instances predominant—or that the means of occupation, amusement, or exercise, scarce existed—for that 100 patients might, in fine weather, be once a day driven for an hour into a small area, deserves none of these names—or that the cell was fitted to its wretched inhabitant—without light, without air—soaked in urine, and besmeared with ordure—to all this I would add a more detailed account†, and with that the kindness of a most estimable friend has furnished me.



† A short review of the evils which existed in the Asylum twelve months ago, will enable the public to judge of the necessity of reform, and how far those were likely to effect it who had so long suffered it to be wanted.

That the institution was not supported according to the principles of its founders, and that the laws *written* for its conduct, were, with few exceptions, violated in practice, is now universally admitted; but these are not the only charges against the Asylum.

The internal economy and management were bad, the number of assistants or keepers was altogether insufficient, and the accommodations were inadequate to the patients admitted, and in a most unsuitable state.

Avarice appears to have been the ruling passion in the house.

The public has frequently heard what the physician thought the reasonable emoluments of his profession. It appears that the housekeeper received a fee on the admission of superior patients, and declared, that she thought herself justified, no doubt by long usage, in charging to the institution what profit she pleased on the articles she was entrusted to purchase. The keepers acknowledge to have received £100 per annum as perquisites from the superior classes of patients; that they took the clothes of the patients, when *they* considered them to have been worn a sufficient time. The gardener also recently stated, that he derived a considerable income from the sale of vegetables, and from fees received on the burial of the patients.

The chief power and management of the house were vested in the steward, who resided at the lodge, which is at a considerable distance. The apothecary, who was resident, did not consider himself possessed of the authority to prevent the servants going out when they pleased, and the matron exercised a very partial and contested power. Amongst other things, she states, that "having found it impracticable to prevent the ingress and egress of the servants in the night, she has for *several years* ceased to lock the back-kitchen door, before she goes to bed." We find also, from the Committee's Report, that "though the rules provide, that no servant shall absent himself from the house, for more than one hour without leave, it appears, that they seldom or never ask leave, and that several of them are frequently out late at night at the same time."

What must have been the state of the 200 unfortunate beings, who depended so entirely on the conscientious discharge of the most painful duties, by those servants, whose irregular and mercenary habits we have just exhibited?

It is also easy to be made appear, that the number of attendants was altogether inadequate. In the year 1813, the number of patients reported to be in the Asylum, was 199, of whom a considerable majority were men.—These persons were under the care of four male and three female keepers. If the whole time of these keepers had been devoted to this number of patients, and they had been equally divided under their care, the number would have been very deficient: but the case was far otherwise; one of the men keepers made and baked the bread; another, who had been a butcher, killed the pigs, and the women keepers assisted regularly at the wash tub. It must also be noticed, that the opulent patients had much more than their equal share of this attendance.

It will not be unfair to conclude, that two of the keepers, one male, and one female, would be chiefly employed in attending the patients of the highest class, which were stated to consist generally of about 17. The house business performed by the attendants, may be considered, as employing, at least, the time of one of them. We have then 182 patients under the care of four keepers, or more than 45 to each; of these 182 patients, there would, in all probability, be from ten to twelve of each sex, who would require extraordinary attendance, from their foul and offensive habits—each of these ten or twelve would afford ample employment for one person, to preserve them in a state of decency. It is impossible to show, making every allowance for the assistance frequently derived from patients, that this class could be properly attended to, without an absolute abandonment of the rest; nor could these receive more than a very small share of the attendance they required, if the worst class were as much neglected as possible. At present, with only 100 patients, of whom a very small number are of the opulent class, four male, and

three female attendants, find themselves fully employed in doing justice to their charge, without any interference of domestic services.

One specimen of the misery induced by the want of sufficient attendance, and of the indifference with which the feelings or comforts of the patients were considered by the attendants, shall be given. A Governor of the Asylum visiting the house, accompanied by the architect, between ten and eleven o'clock one morning, in the month of April last, found a male patient, *without any clothes whatever*, standing in a wash-house on a wet stone floor, apparently in the last stage of decay; he was indeed a mere skeleton; his thighs were nearly covered with excrement in a dry state, and those parts which were not so, appeared excoriated, as did also some parts of his waist. A keeper, who was called, said, that the patient was not accustomed to leave his bed, that he was a perfect child, and could do nothing for himself; that his attendant was busy *killing pigs*, and could not, therefore, attend to him. The bed which he was said to have left was in the most filthy state, and corresponded with that of his body. He was spoken of by all (indeed it was impossible to see him and consider him otherwise) as a dying man. The further history of this poor creature proved, however, the fallacy of appearances. He was removed to another part of the Asylum where he was better attended, and, in a few months, was so much recovered, as to be removed to his parish, in an inoffensive, though imbecile state of mind.

We have now only to show, that the accommodations were unsuitable and inadequate. To do this, it might be sufficient to state, that there were only 93 sleeping rooms for the 200 patients, the resident officers, and the servants. We must remember too, that the opulent patients occupied more than an equal proportion of this space, and the same may fairly be presumed, as to the servants and officers. What was the actual average space allotted to each poor patient, it would be a matter of painful curiosity to ascertain. At the time of the fire, there were said to

be about 80 patients in the building which was burnt. The remainder, more than 110, were of course, in the main building, in which, the present Committee find it very difficult to accommodate 85 patients, though the numerous and pressing applications for admissions have induced them to allot less space to each patient than under less urgent circumstances, they would have thought proper. Only a small proportion of the patients have, at present, a room to themselves, and, in many instances, one bed is occupied by two patients. Previously to the fire, there were not any day rooms with contiguous airing courts. There were but two airing courts for all the classes of patients, except the opulent, who took their exercise in the garden. All the other classes of men were turned into one court, and the women into the other. There was no provision in either court, for shelter against the rain or heat. Very few of the patients were allowed hats, and shoes and stockings were not unfrequently wanting. In this state, you might see more than 100 poor creatures shut up together, unattended and uninspected by any one; the lowest paupers and persons of respectable habits, the melancholic and the maniac, the calm and the restless, the convalescent and the incurable. It is needless, and it would be painful, to enumerate the evils and the dangers resulting from this system of indiscriminate association. The danger of patients injuring each other, was also very great, from their being shut up in considerable numbers in their day rooms, without any attendant or inspector. Nor must we forget, in this short sketch of the domestic evils which existed in the Asylum, that utter neglect of ventilation and cleanliness, which rendered so many parts of the place alike disgusting and unwholesome. It is almost impossible to conceive any place in a more damp and offensive state, than that part of the building called the low grates. The light, in several of the rooms, was obstructed by the erection of pig-styes, and other disagreeable offices; and the little air which was admitted, passed immediately over these places. The upper galleries suffered in some degree, from the same causes as the lower one. Their ele-

vation prevented their being damp ; they were, however, with some exception in favour of that part occupied by the opulent, as gloomy as ingenuity could devise to make them, and, as defective as possible in ventilation.

This enumeration of evils will, it is presumed, be sufficient to justify that indignation which has been felt by gentlemen of the County, no less than by the Citizens of York. Whether any means less strong than those which have been employed, and which have happily succeeded in producing reform, might have been effectual, is a question of probabilities, which it would be waste of time to discuss. He who is cured of a dangerous disorder, does not often call his physician to account for the use of unnecessary means ; and, it will be sufficient for the public, sufficient for the friends of patients, and amply sufficient for every honest governor to know, that evils have existed, and that they are remedied.





